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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,812	03/10/2004	Makoto Mizuno	1232-5335	7123
27123	7590	02/16/2007		
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			EXAMINER UNDERWOOD, JARREAS C	
			ART UNIT	PAPER NUMBER
			2877	
			MAIL DATE	DELIVERY MODE
			02/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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EXAMINER

ART UNIT

PAPER

20070209

DATE MAILED:

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Commissioner for Patents

See attached interview summary.

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/798,812	MIZUNO ET AL.	
	Examiner	Art Unit	
	Jarreas C. Underwood	2877	

All Participants:

Status of Application: _____

(1) Jarreas C. Underwood.

(3) James Hwa.

(2) Layla Lauchman.

(4) _____.

Date of Interview: 6 February 2007

Time: 1300

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:

1, 26, 30, 54

Prior art documents discussed:

Andeen, Nishi

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: On 1/29/2007 a request was made to hold an interview and better clarify the rejection of claim 1 with respect to the Andeen reference. Attending were Hwa and Underwood.

On 2/6/2007, the question was raised as to the validity of Andeen references with respect to amended claim 1. After discussion it was determined that the claim overcame the Andeen reference in view of the definition of "optical system" in specification paragraph 0234. A further search would be conducted.

With respect to claim 26, it was felt the Nishi reference fulfilled the above definition, and the amended claim failed to overcome the prior art. In addition, the obviousness argument has not been addressed.

Finally, it was determined that the rejection of claims 30 and 54 should be under 35 USC 102(b) instead of 35 USC 103(a). Attending were Hwa, Lauchman and Underwood.

On 2/9/2007 the results of further discussion between Lauchman and Underwood were discussed with Hwa. A copy of this interview summary would be communicated to the applicant soonest.